

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

KEANON TILLEY, #1542552,

Plaintiff,

v.

NFN GONZALES, et al.,

Defendants.

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No. **3:09-CV-2451-L**

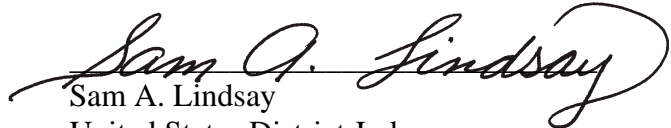
ORDER

Before the court are the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, filed March 10, 2010. This is a *pro se* civil action. The magistrate judge recommends dropping all Defendants except Parkland Hospital, Dr. Barrena, Officers Gonzalez and Hargarty (or Hargarthy), and Lew Sterrett pursuant to Rule 21 of the Federal Rules of Civil Procedure. She also recommends dismissing with prejudice the claims against Parkland Hospital, Dr. Barrena, and Lew Sterrett. Finally, she recommends issuing process as to the two officers and allowing Plaintiff's claims of sexual assault against them to proceed. Plaintiff did not file any objections.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. Pursuant to Rule 21 of the Federal Rules of Civil Procedure, the court hereby **drops** the following Defendants as misjoined: Mayor Bill Cecil, Krogers, Timberlan [sic] Mental Health Facility, Everest College, UPS, Baylor Hospital, and the Northern District of Texas. To the extent Plaintiff intends to pursue litigation against any dropped defendant, he must do so in a separate action commenced by filing a civil complaint in the proper court. Pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b), the court **dismisses with prejudice** the claims against Parkland Hospital, Dr. Barrena, and Lew Sterrett. The

court determines that Plaintiff's claims of sexual assault against the two officers may proceed and, by separate order, will refer this action to the magistrate judge for pretrial management.

It is so ordered this 15th day of April, 2010.


Sam A. Lindsay
United States District Judge